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| <b>From:</b>        | Robert M. Bauer, Esq. | <b>Date:</b>            | September 10, 2004 |
| <b>Direct Dial:</b> | 212-895-2630          | <b>Client/Matter #:</b> | 6173/4006US        |

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| 1. | Examiner Julio<br>Perez (Group 2681) | USPTO          | 703 872 9306   |                  |

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|-----------------------------|---|--------------------------|
| <b>In re Application of</b> | : | Hasse SINIVAARA et al.   |
| <b>Application No.</b>      | : | 09/937,044               |
| <b>Filing Date</b>          | : | January 8, 2002          |
| <b>Group</b>                | : | 2681                     |
| <b>Examiner</b>             | : | Perez, Julio             |
| <b>Title</b>                | : | VEHICLE TELEPHONE SYSTEM |

Please find enclosed: **RESPONSE TO OFFICE ACTION**

Atty. Dkt. No. 6173-4006US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Hasse SINIVAARA et al.  
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Commissioner for Patents  
P.O. Box 1450  
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**RESPONSE TO OFFICE ACTION**

Claims 30-56 are pending in this application. No claims have been amended in this Response. The Office Action dated June 10, 2004 rejected all of the pending claims (claims 30-56) as being anticipated or rendered obvious by prior art. Applicants hereby respectfully traverse the rejections and request that this application be allowed.

**Claims 30-39, 43-44 and 47-56**

The grounds for the rejection of claims 30-39, 43-44 and 47-56 is set forth in part 2 on pages 2-9 in the Office Action. The claims are rejected under 35 U.S.C. 102(b) as being anticipated by the telephone system and Vehicle Communication Control Unit (VCCU) shown in Figs. 2 and 6, and described at page 5, line 1, to page 8, line 5, and page 13, line 5, to page 14, line 5, of GB Patent No. 2,310,973 issued to Armbruster et al. (for the sake of simplicity the telephone system and VCCU are hereafter collectively referred to as "Armbruster"). Applicants

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respectfully traverse the rejection at least because it fails to establish a prima facie case that each and every one of the combination of features recited in the claims is included in Armbruster.

For example, independent claims 30 and 52 (all other claims are dependent) recite the features of a server terminal "having an identification address" and a location data base "identifying users of the cellular telephone system when their identifies are accepted by respective user terminals" and "associating those users with said identification address." The latter features allow the handover of calls to be carried out more conveniently by associating a plurality of users with a single IP address (see, for example, page 5, third paragraph, of the specification). Furthermore, these features also allows the present invention to avoid the disadvantage being addressed by Armbruster (see quote below), concerning the address stored in the visitor location register (VLR) database in a conventional mobile switching centre (page 5, paragraph 2). Therefore, a passenger can be contacted via their normal phone number, without knowledge of the identity of the vehicle.

With respect to the first feature that the server terminal have an identification address, the rejection cites the following descriptions of VCCU 600 in Armbruster:

"The communication units can be, for example, telephone handsets (e.g., airplane seatback handsets), faxes, computers, or data processing units which are coupled to the VCCU using hard wired, optical, or RF links. In essence, the VCCU enable information to be gathered from passengers, sent to a GW, and vice versa." (page 5, lines 11-5)

"FIG. 6 illustrates a block diagram of VCCU 600 in accordance with a preferred embodiment of the present invention. VCCU 600 is used to provide communication capabilities for multiple communication units 620, where VCCU 600 and communication units 620 are co-located on a mobile vehicle. In a preferred embodiment, VCCU 600 includes processor 602, communication unit interface 604, RF interface 606, and memory device 608. In an alternate embodiment, VCCU 600 need not include memory device 608." (page 13, lines 5-11)

Although the communication units are associated with particular user identities and are coupled to the VCCU via hard wired optical links or RF links, that does not necessitate that the VCCU has an identification address. Indeed, as described in the patent, Armbruster operates as follows:

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"the present invention individually registers and tracks the location of each passenger rather than tracking the location of the mobile vehicle. In other words, the location of each passenger can be accessed based on the identity of the passenger, not the identity of the vehicle in which the passenger is traveling. This aspect of the method and apparatus of the present invention allows a passenger to be contacted without knowledge of the identity of the vehicle." (Page 7, lines 11 to 18).

The VCCU in Armbruster collects registration information of the users of the communication units and sends the registration information to the communication system (page 13, lines 17 to 19). The registration information includes subscriber information and location information describing the last-known location of the mobile vehicle (page 6, lines 25 to 27). This is disadvantageous because, as described on page 7, when the vehicle is moving re-registration is necessary as the location information becomes obsolete. Also, as described on page 1 of the original specification of this application, as the vehicle moves from a region of coverage provided by one satellite to that of another all calls must be individually "handed over", which can lead to calls being dropped.

Therefore, Armbruster does not include the above-quoted features in the independent claims and the patent actually teaches away from the feature of a server terminal having an identification address and of associating the users with that identification address. Furthermore, the patent contains no teachings that could suggest to the skilled person the features and advantages of the present invention. Indeed, as mentioned above, it actually leads the skilled person away from the features.

#### Claims 40-42

The grounds for the rejection of dependent claims 40-42 is set forth in part 4 on pages 9-10 of the Office Action. The rejection acknowledges that Armbruster does not include the features of claims 40-42, but asserts that it would be obvious to modify Armbruster to include them because the features are known in the prior art. The rejection fails to establish why one of ordinary skill in the art would single out RS-232 or USB buses, or CEPT-E1 connection rather

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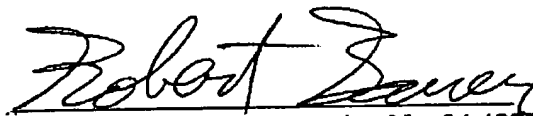
than some other type of hard-wired or RF link, other than the hindsight provided by this application.

Claims 45-46

The grounds for the rejection of dependent claims 45 and 46 is set forth in part 5 on pages 11-12 of the Office Action. The rejection acknowledges that Armbruster does not include the features of claims 45 and 46, but asserts that they are in U.S. Patent No. 5,634,209 and that it would be obvious to modify Armbruster to include them. The rejection fails to point out where Prudhomme provides the motivation to modify Armbruster in the manner proposed in the rejection. The overwhelming teaching of Prudhomme is of providing an improved antenna (see col. 1, line 11, to col. 6, line 20), but the rejection ignores this, never comments on the antennas, and makes a selective, hindsight, combination of other parts of Prudhomme to reject the claims.

Please charge any fees due in connection with the filing of this Amendment, to Deposit Account No. 02-4270 (Dkt. No. 6173-4006US) and please credit any overpayment or excess fees to such deposit account.

Respectfully submitted,



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